

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

4 MARCH 2003

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Belvin J. Jessup, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips, and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Terry Wood, Chief Deputy City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Judy Weeks, employee in the Legal Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Speaking to her work with Canterbury Middle School, Councilmember Gatten introduced the following students who were present in the Chamber and had participated in the Trinity Term Project with regard to the study of environmental issues: Michael Betts, Brent Holbrook, Catherine Covington, Thomas Harper, Julie Lucas, Claire Dwyer, Fletcher Wall; Dr. Spencer Edmunds, Director of the School was also present. Messrs. Betts and Holbrook reported on the group's research, activities and findings during the conduct of their annual project that focused this year on what they could do to protect the environment, specifically the issue of recycling in apartment complexes and other multiple occupancy residential facilities. They offered their thoughts about Greensboro's recycling program and offered a number of solutions they wanted Council to consider. Members of Council commended the students for their hard work.

Jeri Covington, Environmental Services Director, detailed the recycling services provided by the City of Greensboro; explained why the City was unable to offer recycling services to some residents; detailed the efforts of her Department's marketing specialists to encourage recycling and expand Greensboro's recycling program; spoke briefly to drop-off sites managed by Guilford County and efforts to encourage the County to actively participate in the recycling business; and responded to Council inquiries that Greensboro's recycling program was doing well in comparison to other municipalities.

Council expressed appreciation to Ms. Covington and her department for their excellent work.

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Otis Wilson, Chairperson of the Human Relations Commission, read a resolution adopted by the Commission which requested that the City Council adopt a resolution that opposed those parts of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act* (PATRIOT ACT) and some Executive Orders that they believed unnecessarily removed protections of civil rights and liberties for the people of Greensboro.

Jameel Khalifa, member of the Commission, reported actions purportedly conducted by Federal Bureau of Investigation representatives that he believed represented unfair treatment of certain citizens; he expressed his concern that this Act had the power to be misused with regard to individuals from the Middle East and of the Muslim faith.

After discussion with regard to the impact the Patriot Act would have on local law enforcement, the Chief Deputy City Attorney advised this was a Federal Act and applied to Federal officers; he added that he believed the only time this Act would impact local law enforcement was when they assisted Federal officers. Responding to Council inquiries, he stated that, to his knowledge, the Police Attorney had not been asked to provide an opinion/report with regard to this Act.

After Larry Morse, member of the Commission, indicated he wished to speak, the Chief Deputy City Attorney Wood stated that in accordance with the Greensboro City Code, Commission members should not advocate before the City Council. He stated the Commission Chair was authorized to present the findings of the Board but reiterated that members of the Human Relations Commission or any other Commission were not supposed to advocate policies before this City Council with regard to something on which they had taken action.

Stating that he was a participant in the Commission's presentation with regard to this issue, Mr. Morse requested Council to review certain portions of the Act and support the position of the Human Relations Commission.

The Mayor stated that Council would not hear speakers from the floor during this presentation by Human Relations Commission representatives; he noted that if the item were placed on a future agenda for Council action, interested parties could speak at that meeting.

After brief discussion, several members of Council asked for written copies of the PATRIOT Act to review before deciding which course of action the Council wished to pursue.

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Mayor Holliday stated this was the time and place to consider a resolution confirming assessments for water main, sewer main and roadway paving improvements on Murraylane Road from Maybrook Drive to Dead End; he noted this matter was continued from the January 21 and February 18, 2003 meetings of Council and that the public hearing had been closed.

Mitchell Johnson, Assistant City Manager, reported on staff's further investigation with regard to this matter and noted that Alyson Best from the Guilford County Health Department was present to answer any questions. Assistant City Manager Johnson stated that Ken Carter, Director of Environmental Health with Guilford County, had reported that the concern with the contaminated well at 407 Murraylane Road was processed through their agency as a complaint and responded to by their normal process; he advised that at that time the Health Department had directed the property owner next door to Mr. Phillips to correct the failed septic system that had contaminated Mr. Phillips' well. Assistant City Manager Johnson stated that test records showed the problem was corrected over a period of time. Speaking briefly to the Health Department's policy under which they would request the City to provide water and sewer when neighborhoods were contaminated, he stated the Health Department did not refer this situation to Greensboro due to public necessity because the situation could be corrected by action from the property owner and impacted only one residence.

The Assistant City Manager advised that the valid petition was presented in 1998-1999 and the rates assessed at that point were rates City staff felt were appropriate. He briefly spoke to problems the City encounters when annexing non-acceptable facilities.

The City Manager explained that when the City annexed property, the process was in place for citizens to petition the City to provide improvements; he emphasized that the majority of property owners must sign the petition to request the improvements before it is considered by Greensboro.

In response to Council inquiries, the Assistant City Manager and Chief Deputy City Attorney explained the payment process involved with assessments. The Attorney noted the assessments paid only a portion of the cost/value of work and that the improvements increased the value of the property.

Stating that new information had been presented, the Mayor advised Mr. Phillips would be permitted to speak to this matter.

Thomas and Gail Phillips, residing at 407 Murraylane Road, spoke to efforts to provide good water to their residence and detailed their personal expenditures with regard to this matter. Mr. Phillips detailed the many problems they had encountered and spoke to their work with the Health Department representatives to resolve issues of concern.

Council briefly discussed the information presented by staff and confirmed the same rate was applicable for all residents on the assessment roll.

Councilmember Perkins moved adoption of the resolution with the lower assessment rate (rate in place for valid request in 1998). The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

M-244 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

MURRAYLANE ROAD FROM MAYBROOK DRIVE TO DEAD END

WHEREAS, on the 5th day of January, 1999 and the 21st day of December, 1999, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals be laid for the property connection of abutting property with the water main.

Sewer Main Improvements. That a sanitary sewer main be laid on the street or streets hereinabove named within the limits defined, and that necessary laterals be laid for the proper connection of abutting property with the sewer main.

Roadway Paving Improvements. The street or streets hereinabove named within the limits defined to be paved a maximum of 30 feet in width with stone base asphaltic concrete surface, the paving to include grading, construction of storm sewers, and necessary laterals, laying of concrete curbs and gutter, and all other work incidental to the paving.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

MURRAYLANE ROAD FROM MAYBROOK DRIVE TO DEAD END

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.

2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.

3. That the general plan map is hereby confirmed at 6:00 p.m., on the 4th day of March, 2003, and is hereby made the final assessment roll for the improvements.

4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.

5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Robert V. Perkins

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits of property located north of and including Knox Road and east of and including Eastern Greensboro Urban Loop Thoroughfare-254 acres. He thereupon introduced so these matters could be discussed together, an ordinance establishing original zoning classification from County Zoning Conditional Use—RS-9 Residential Single Family to City Zoning Conditional Use—RS-9 Residential Single Family for property located north of Knox Road east of the Eastern Greensboro Urban Loop; an ordinance establishing original zoning classification from County Zoning Conditional Use—RM-5 Residential Multifamily to City Zoning Conditional Use—RM-5 Residential Multifamily for multifamily residential to be developed in accordance with submitted zoning sketch plan for property located north of Knox Road east of the Eastern Greensboro Urban Loop; and an ordinance establishing original zoning classification from County Zoning Agricultural to City Zoning RS-12 Residential Single Family for the Eastern Greensboro Urban Loop between Interstate 40/85 and north of Burlington Road. The Mayor administered the oath to the individual who wished to speak to the conditional use zoning items.

C. Thomas Martin, Planning Department Director, used maps to illustrate the property and surrounding area; noted this proposed annexation was covered by a utility agreement and annexation petition; stated the Planning Department, Planning Board and Zoning Commission had recommended in favor of these items; and presented the following staff presentations:

REQUEST – ITEM 9

This request is to establish original zoning of property from County Zoning Conditional Use – RS-9 Residential Single Family to City Zoning Conditional Use – RS-9 Residential Single Family.

The RS-9 District is primarily intended to accommodate single-family detached dwellings at a density of 4.0 units per acre or less.

The existing CU-RS-9 District contains the conditions which are listed on the agenda and in the copy of the staff presentation:

- 1) Uses: Single family residential.
- 2) To be developed in accordance with submitted zoning sketch plan.
- 3) A collector road shall be constructed from Knox Road to the Hunter property to the north.
- 4) Street stubs shall be constructed as shown on the zoning sketch plan.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses: Single family residential.
- 2) To be developed in accordance with submitted zoning sketch plan.
- 3) A collector road shall be constructed from Knox Road to the Hunter property to the north.
- 4) Street stubs shall be constructed as shown on the zoning sketch plan with the exception of GreenWillow Drive stub to the northeast (Street "J").

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 90 acres and is located north of Knox Road east of the Eastern Greensboro Urban Loop.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	CU-RS-9	Vacant land
North	AG (Co)	Vacant land
East	CU-PDR (City)	Vacant land
South	CP (Co)	Replacements Ltd
West	AG	Eastern Urban Loop R/W

REQUEST – ITEM 10

This request is to establish original zoning of property from County Zoning Conditional Use – RM-5 Residential Multifamily to City Zoning Conditional Use – Conditional Use – RM-5 Residential Multifamily.

The RM-5 District is primarily intended to accommodate duplexes, townhouses, cluster housing and similar residential uses at a density of 5.0 units per acre or less.

The existing CU–RM-5 District contains the conditions which are listed on the agenda and in the copy of the staff presentation:

- 1) Uses: Multifamily residential.
- 2) To be developed in accordance with submitted zoning sketch plan.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses: Multifamily residential.
- 2) To be developed in accordance with submitted zoning sketch plan.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 22 acres and is located north of Knox Road east of the Eastern Greensboro Urban Loop.

<u>Zoning</u>	<u>Land Use</u>
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Subject Property	CU-RM-5	Vacant land
North	CU-PDR (City)	Vacant land
East	AG	Vacant land
South	CP	Replacements Ltd
West	CU-RS-9	Vacant land

Council members indicated it was not necessary to show slides of the property.

Mayor Holliday asked if anyone wished to speak to these matters.

There being no one desiring to speak to these ordinances, Councilmember Vaughan moved to close the public hearing on the four items. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

Mr. Martin provided the following staff recommendation:

Items 9, 10 and 11 – Knox Road and Greensboro Eastern Urban Loop

The Planning Department recommends that these three original zoning proposals be approved.

At its December 18, 2002 meeting, the Greensboro Planning Board unanimously recommended in favor of the annexation.

The private property in this request is subject to a Utility Agreement and Annexation Petition.

An adjoining 149 acre tract to the north was annexed on November 30, 2002 and was zoned Conditional Use – Planned Unit Development – Residential with uses limited to single family and multifamily residential dwellings.

The Conditional Use – RS-9 and Conditional Use – RM-5 original zoning proposals for the subject property are consistent with that previous original zoning action.

The two original zoning proposals are also the same, including conditions, as what Guilford County previously approved for these tracts.

This proposal is consistent with the draft Generalized Future Land Use Map in the Comprehensive Plan which shows this area to be Moderate Residential.

Also included in this proposal is property inside the Eastern Greensboro Urban Loop and the right-of-way of Knox Road, both of which are tax exempt.

The addition of the Eastern Urban Loop allows the connection of several previous satellite annexations, including the adjacent property previously mentioned.

The property to the north at the very top of the map is the Osborne Wastewater Treatment Plant.

The objective here and in future annexations is to link up the satellite annexations occurring on the east side of the city here and elsewhere back on Highway 70 to where they eventually become contiguous.

Councilmember Burroughs-White moved adoption of the ordinance annexing territory to the corporate limits of property located north of and including Knox Road and east of and including Eastern Greensboro Urban Loop Thoroughfare—254 acres. The motion was seconded by Councilmember Johnson and adopted on the

following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-39 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED NORTH OR AND INCLUDING KNOX ROAD AND EAST OF AND INCLUDING EASTERN GREENSBORO URBAN LOOP THOROUGHFARE – 254 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of December 31, 2002), said point being the northeast corner of C. P. T. Farm L. L. C.; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 04° 04' 03" W 1,398.76 feet to a point; thence S 85° 20' 22" E 462.00 feet to a point; thence N 03° 20' 08" E 750.00 feet to a point; thence S 19° 54' 52" E 550.97 feet to a point; thence S 29° 16' 55" E 1,485.52 feet to a point; thence N 81° 41' 46" E 1,374.34 feet to a point; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 23° 30' 08" W 638.02 feet along the west line of F. R. Paisley Heirs, as recorded in Deed Book 1728, Page 95 in the Office of the Register of Deeds of Guilford County, to an existing stone at a corner with Robert Page, as recorded at Plat Book 100, Page 7 in the Office of the Register of Deeds; thence S 80° 26' 32" W 1,025.16 feet along Page's north line to an iron pipe; thence N 84° 27' 48" W approximately 350 feet to a point in the northern right-of-way line of Knox Road (S.R. # 3142) as shown on Sheet 55 of plans of State Project Reference No. 8.U492302 of the North Carolina Department of Transportation; thence with said northern right-of-way line S 53° 11' 25" E approximately 92 feet to a point; thence with said northern right-of-way line S 86° 27' 36" E 1,112.00 feet to a point; thence with a curve to the right having a chord bearing of S 65° 56' 18" E, a chord distance of 40.00 feet, and a radius of approximately 591 feet to a point; thence crossing Knox Road S 23° 45' 16" W approximately 60 feet to a point on the southern right-of-way line of Knox Road; thence with a curve to the left having a chord bearing of N 65° 56' 18" W, a chord distance of approximately 30 feet, and a radius of 531.00 feet to a point; thence with said southern right-of-way line N 84° 27' 48" W 1,399.56 feet; thence N 01° 13' 25" W 60.20 feet to a point; thence N 01° 13' 25" W 50.17 feet to a point in the southern margin of Knox Road; thence with said southern margin as shown on the aforesaid set of plans 8.U492302 Sheet 55 N 86° 31' 24" W 341.00 feet to a point; thence N 88° 15' 37" W 385.50 feet to a point; thence N 86° 03' 12" W approximately 210 feet to a point in the northern line of that property owned by the NCDOT in fee simple for State Project 8.U492302, the Greensboro Eastern/Southern Urban Loop Interchange with I-85/40, as shown on Sheet 8 and being referenced as Station 7 + 80 Ramp No. 6; thence with the northern line of the NCDOT land for said project in a southeasterly direction approximately 2,100 feet to Station 0 + 92.621 Ramp 6; thence in an easterly direction with NCDOT's northern line approximately 333 feet to Station 29 + 00 L; thence in a westerly direction with the old right-of-way line for I-85 approximately 2,936 feet to Station 20 + 05 L; thence in a northerly direction to a point at Ramp 3 Station 4 + 03.55, said point also being in the western line of the NCDOT property; thence in a northerly direction with said western line for said Project 8.U492302 and continuing in a northerly direction with the western line of State Project Reference No. 6.498006T, the Greensboro Eastern Urban Loop, to the northern end of said Project 6.498006T as shown on Sheet 10; thence in an easterly direction with the NCDOT's northern line to the southwest corner of property of the City of Greensboro, being the T. Z. Osborne Wastewater Treatment Plant property, said corner being in the existing Greensboro satellite city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in an easterly direction to the northeast corner of the NCDOT property; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a southerly direction with the NCDOT's eastern line to Station Y2 REV 3 + 378.933, said point being shown on Sheet 9 and being on the northern line of property owned by NCDOT for Highway 70; thence in a southwesterly direction, crossing Highway 70, approximately 140 feet to a point on the southern line of property owned by NCDOT for Highway 70; thence in a westerly direction along said southern line of Highway 70 350 feet to a highway monument at the intersection of said line and the eastern line of the NCDOT's property for the Eastern Greensboro Urban Loop, as shown on Sheet 9 of Project 6.498006T; thence in a southerly direction with said eastern line to the northwest corner of C. P. T. Farm L. L. C.; thence S 87° 28' 23" E 449.51 feet along the northern line of C. P. T. Farm L. L. C. to an existing iron pipe; thence S 87° 45' 45" E 665.66 feet along said line to the point and place of BEGINNING, and containing approximately 254 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after May 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2003.

(Signed) Claudette Burroughs-White

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Councilmember Johnson moved that the ordinance establishing original zoning from County Zoning Conditional Use-RS-9 Residential Single Family to City Zoning Conditional Use-RS-9 Residential Single Family for property located north of Knox Road east of the Eastern Greensboro Urban Loop be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use for single family residential.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because abutting property has previously been zoned for planned residential uses.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this proposal is consistent with the draft Generalized Future Land Use Map which shows this area to be Moderate Residential.

The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-40 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

NORTH OF KNOX ROAD EAST OF THE EASTERN GREENSBORO URBAN LOOP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Conditional Use – RS-9 Residential Single Family to City Zoning Conditional Use – RS-9 Residential

Single Family (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of December 31, 2002), said point being the northeast corner of C. P. T. Farm L. L. C.; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 04° 04' 03" W 1,398.76 feet to a point; thence S 85° 20' 22" E 462.00 feet to a point; thence N 03° 20' 08" E 750.00 feet to a point; thence S 19° 54' 52" E 550.97 feet to a point; thence S 29° 16' 55" E 1,117.2 feet to a point; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with a curve to the left having a chord bearing of S 40° 05' 18" W, a chord distance of 193.10 feet, and a radius of 725.00 feet to a new iron pipe; thence with a curve to the left having a chord bearing of S 16° 18' 05" W, a chord distance of 402.93 feet, and a radius of 725.00 feet to a new iron pipe; thence with a curve to the right having a chord bearing of S 07° 56' 54" W, a chord distance of 201.73 feet, and a radius of 745.09 feet to a new iron pipe in the northern right-of-way line of Knox Road; thence with said northern right-of-way line N 86° 08' 17" W 387.70 feet to an existing right-of-way monument; thence with said northern right-of-way line N 85° 58' 55" W 382.13 feet to an existing right-of-way monument; thence with the terminus of Knox Road S 03° 55' 33" W 103.39 feet to a new iron pipe; thence N 86° 04' 27" W 223.77 feet to a point in the eastern line of that property owned by the NCDOT in fee simple for State Project 8.U492302, the Greensboro Eastern/Southern Urban Loop Interchange with I-85/40; thence with the eastern line of the NCDOT land for said project and for State Project 6.498006T, the Greensboro Eastern Urban Loop, the following bearings and distances: N 35° 15' 46" W 86.64 feet to a point, N 28° 12' 45" W 254.89 feet to a point, N 33° 02' 04" W 172.65 feet to a point, N 23° 56' 28" W 323.34 feet to a point, N 66° 03' 54" E 16.41 feet to a point, N 23° 53' 03" W 328.09 feet to a point, N 23° 57' 36" W 252.21 feet to a point, N 22° 44' 43" W 285.73 feet to a point, N 17° 16' 18" W 224.31 feet to a point, N 13° 28' 29" W 61.49 feet to a point, N 10° 25' 53" W 167.63 feet to a point, N 05° 42' 19" W 285.75 feet to a point, N 04° 29' 31" W 312.93 feet to a point, and N 04° 29' 31" W 517.55 feet to the northwest corner of C. P. T. Farm L. L. C.; thence S 87° 28' 23" E 449.51 feet along the northern line of C. P. T. Farm L. L. C. to an existing iron pipe; thence S 87° 45' 45" E 665.66 feet along said line to the point and place of BEGINNING.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Single family residential.
- 2) To be developed in accordance with submitted zoning sketch plan.
- 3) A collector road shall be constructed from Knox Road to the Hunter property to the north.
- 4) Street stubs shall be constructed as shown on the zoning sketch plan with the exception of Green Willow Drive stub to the northeast (Street "J").

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective upon the date of annexation.

(Signed) Yvonne J. Johnson

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Councilmember Burroughs-White moved that the ordinance establishing original zoning classification from County Zoning Conditional Use-RM-5 Residential Multifamily to City Zoning Conditional Use-RM-5 Residential Multifamily for multifamily residential to be developed in accordance with submitted zoning sketch plan

for property located north of Knox Road east of the Eastern Greensboro Urban Loop be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use for multifamily residential.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because abutting property has previously been zoned for planned residential uses which includes a mix of single family and multifamily.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this proposal is consistent with the draft Generalized Future Land Use Map which shows this area to be Moderate Residential.

The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-41 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

NORTH OF KNOX ROAD EAST OF THE EASTERN GREENSBORO URBAN LOOP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Conditional Use – RM-5 Residential Multifamily to City Zoning Conditional Use – RM-5 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of December 31, 2002), said point being on the eastern line of C. P. T. Farm L. L. C.; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 29° 16' 55" E approximately 308.3 feet to a point; thence N 81° 41' 46" E 1,374.34 feet to a point; THENCE DEPARTING FROM THE EXISTING CITY LIMITS S 23° 30' 08" W 638.02 feet along the west line of F. R. Paisley Heirs, as recorded in Deed Book 1728, Page 95 in the Office of the Register of Deeds of Guilford County, to an existing stone at a corner with Robert Page, as recorded at Plat Book 100, Page 7 in the Office of the Register of Deeds; thence S 80° 26' 32" W 1,025.16 feet along Page's north line to an iron pipe; thence N 84° 27' 48" W approximately 350 feet to a point in the northern right-of-way line of Knox Road (S.R. # 3142) as shown on Sheet 55 of plans of State Project Reference No. 8.U492302 of the North Carolina Department of Transportation; thence with said northern right-of-way line S 53° 11' 25" E approximately 92 feet to a point; thence with said northern right-of-way line S 86° 27' 36" E 1,112.00 feet to a point; thence with a curve to the right having a chord bearing of S 65° 56' 18" E, a chord distance of 40.00 feet, and a radius of approximately 591 feet to a point; thence crossing Knox Road S 23° 45' 16" W approximately 60 feet to a point on the southern right-of-way line of Knox Road; thence with a curve to the left having a chord bearing of N 65° 56' 18" W, a chord distance of approximately 30 feet, and a radius of 531.00 feet to a point; thence with said southern right-of-way line N 84° 27' 48" W 1,399.56 feet; thence N 01° 13' 25" W 60.20 feet to a point; thence N 01° 13' 25" W 50.17 feet to a point in the southern margin of Knox Road; thence with said southern margin as shown on the aforesaid set of plans 8.U492302 Sheet 55 N 86° 31' 24" W 341.00 feet to a point; thence N 88° 15' 37" W 385.50 feet to a point; thence with the terminus of Knox Road N 03° 55' 33" E 103.39 feet to an existing right-of-way monument on the northern right-of-way line of Knox Road; thence with said northern right-of-way line S 85° 58' 55" E 382.13 feet to an existing right-of-way monument; thence with said northern right-of-way line S 86° 08' 17" E 387.70 feet to a new iron pipe; thence with a curve to the left having a chord bearing of N 07° 56' 54" E, a chord distance of 201.73 feet, and a radius of 745.09 feet to a new iron pipe; thence with a curve to the right having a chord bearing of N 16° 18' 05" E, a chord distance

of 402.93 feet, and a radius of 725.00 feet to a new iron pipe; thence with a curve to the right having a chord bearing of N 40° 05' 18" E, a chord distance of 193.10 feet, and a radius of 725.00 feet to the point and place of BEGINNING.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Multifamily residential.
- 2) To be developed in accordance with submitted zoning sketch plan.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective upon the date of annexation.

(Signed) Claudette Burroughs-White

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Councilmember Phillips moved adoption of the ordinance establishing original zoning classification from County Zoning Agricultural to City Zoning RS-12 Residential Single Family, for the Eastern Greensboro Urban Loop between Interstate 40/85 and north of Burlington Road. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-42 AMENDING OFFICIAL ZONING MAP

EASTERN GREENSBORO URBAN LOOP BETWEEN INTERSTATE 40/85 AND NORTH OF BURLINGTON ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural to City Zoning RS-12 Residential Single Family uses for the area described as follows:

BEGINNING at a point in the northern line of that property owned by the NCDOT in fee simple for State Project 8.U492302, the Greensboro Eastern/Southern Urban Loop Interchange with I-85/40, as shown on Sheet 8 and being referenced as Station 7 + 80 Ramp No. 6; thence with the northern line of the NCDOT land for said project in a southeasterly direction approximately 2,100 feet to Station 0 + 92.621 Ramp 6; thence in an easterly direction with NCDOT's northern line approximately 333 feet to Station 29 + 00 L; thence in a westerly direction with the old right-of-way line for I-85 approximately 2,936 feet to Station 20 + 05 L; thence in a northerly direction to a point at Ramp 3 Station 4 + 03.55, said point also being in the western line of the NCDOT property; thence in a northerly direction with said western line for said Project 8.U492302 and continuing in a northerly direction with the western line of State Project Reference No. 6.498006T, the Greensboro Eastern Urban Loop, to the northern end of said Project 6.498006T as shown on Sheet 10; thence in an easterly direction with the NCDOT's northern line to the southwest corner of property of the City of Greensboro, being the T. Z. Osborne Wastewater Treatment Plant property, said corner being in the existing Greensboro satellite city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in an easterly direction to the northeast corner of the NCDOT property; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a southerly direction with the NCDOT's eastern line to Station Y2 REV 3 + 378.933, said point being shown on Sheet 9 and being on the northern line of property owned by NCDOT for Highway 70; thence in a southwesterly direction, crossing Highway 70, approximately 140 feet to a

point on the southern line of property owned by NCDOT for Highway 70; thence in a westerly direction along said southern line of Highway 70 350 feet to a highway monument at the intersection of said line and the eastern line of the NCDOT's property for the Eastern Greensboro Urban Loop, as shown on Sheet 9 of Project 6.498006T; thence in a southerly direction with said eastern line to the northwest corner of C. P. T. Farm L. L. C.; thence continuing with said eastern line the following bearings and distances: S 04° 29' 31" E 517.55 feet to a point, S 04° 29' 31" E 312.93 feet to a point, S 05° 42' 19" E 285.75 feet to a point, S 10° 25' 53" E 167.63 feet to a point, S 13° 28' 29" E 61.49 feet to a point, S 17° 16' 18" E 224.31 feet to a point, S 22° 44' 43" E 285.73 feet to a point, S 23° 57' 36" E 252.21 feet to a point, S 23° 53' 03" E 328.09 feet to a point, S 66° 03' 54" W 16.41 feet to a point, S 23° 56' 28" E 323.34 feet to a point, S 33° 02' 04" E 172.65 feet to a point, S 28° 12' 45" E 254.89 feet to a point, and S 35° 15' 46" E 86.64 feet to a point; thence in an easterly direction a short distance along the northern line of the NCDOT to the point and place of BEGINNING.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Thomas M. Phillips

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits of property located at 1800 Chiles-Higgins Court-1.01 acres. He thereupon introduced so these matters could be discussed together, an ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning RS-40 Residential Single Family for property located at the terminus of Chiles-Higgins Court west of Wilpar Drive and south of Wilpar Terrace.

Mr. Martin used a map to illustrate the property, stated this property was covered by a utility agreement and annexation petition; and advised the Planning Department, Planning Board and Zoning Commission recommended in favor of the ordinances.

Mayor Holliday asked if anyone wished to be heard.

There being no one present desiring to speak to this matter, Councilmember Johnson moved adoption of the ordinance annexing territory to the corporate limits of property located at 1800 Chiles-Higgins Court-1.01 acres. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-43 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 1800 CHILES-HIGGINS COURT—1.01 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northeast corner of Lot 165-A of Section 1 of Wilpar Estates, recorded in Plat Book 116, Page 3 in the Office of the Register of Deeds of Guilford County, said point also being on the western right-of-way line of Chiles-Higgins Court; thence along said right-of-way line with a curve to the left with a radius of 60.0 feet and a chord bearing and distance of S 05° 36' 20" E 77.72 feet to the southeast corner of said lot; thence S 62° 32' 30" W 201.23 feet along the southeast line of said lot to its southwest corner; thence N 24° 28' 00" W 244.61 feet along the southwest line of said lot to a point; thence N 05° 54' 20" W 73.00 feet along the west side of said lot to its northwest corner; thence S 65° 54' 20" E 306.49 feet along the northeast line of said lot to the point and place of BEGINNING, being all of said Lot 165-A and containing approximately 1.01 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property

annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after May 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2003.

(Signed) Yvonne J. Johnson

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Councilmember Johnson moved adoption of the ordinance establishing original zoning classification from County Zoning RS-40 Residential Single Family to City Zoning RS-40 Residential Single Family for property located at the terminus of Chiles-Higgins Court west of Wilpar Drive and south of Wilpar Terrace. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

03-44 AMENDING OFFICIAL ZONING MAP

TERMINUS OF CHILES-HIGGINS COURT WEST OF WILPAR DRIVE AND SOUTH OF WILPAR TERRACE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning RS-40 Residential Single Family to City Zoning RS-40 Residential Single Family uses for the area described as follows:

BEGINNING at the northeast corner of Lot 165-A of Section 1 of Wilpar Estates, recorded in Plat Book 116, Page 3 in the Office of the Register of Deeds of Guilford County, said point also being on the western right-of-way line of Chiles-Higgins Court; thence along said right-of-way line with a curve to the left with a radius of 60.0 feet and a chord bearing and distance of S 05° 36' 20" E 77.72 feet to the southeast corner of said lot; thence S 62° 32' 30" W 201.23 feet along the southeast line of said lot to its southwest corner; thence N 24° 28' 00" W 244.61 feet along the southwest line of said lot to a point; thence N 05° 54' 20" W 73.00 feet along the west side of said lot to its northwest corner; thence S 65° 54' 20" E 306.49 feet along the northeast line of said lot to the point and place of BEGINNING, being all of said Lot 165-A and containing approximately 1.01 acres.

Section 2. This ordinance shall be effective upon the date of annexation.

(Signed) Yvonne J. Johnson

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Moving to the Consent Agenda, Councilmember Phillips moved adoption of all ordinances, resolutions and the motion listed on the Consent Agenda. The motion was seconded by Councilmember Vaughan; the Consent

Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

43-03 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2002-46 WITH N.C. MONROE CONSTRUCTION FOR THE GREENSBORO COLISEUM COMPLEX – FABRIC STRUCTURE BUILDING PAD

WHEREAS, Contract No. 2002-46 with N.C. Monroe Construction provides for the fabric structure building pad at the Greensboro Coliseum Complex;

WHEREAS, additional work is needed with regard to waterline changes, paving, installation of fire hydrant, concrete pumping costs and trench work to Ellington Street is necessary, thereby necessitating a change order in the contract in the amount of \$44,423.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with N.C. Monroe Construction for the Greensboro Coliseum Complex – fabric structure building pad is hereby authorized at a total cost of \$44,423.00 payment of said additional amount to be made as from Account No. 521-7535-06.6019 CBR 010.

(Signed) Thomas M. Phillips

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44-03 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2002-48 WITH BAR CONSTRUCTION FOR THE GREENSBORO COLISEUM COMPLEX – SOUTH ELEVATOR

WHEREAS, Contract No. 2002-48 with Bar Construction provides for the south elevator at the Greensboro Coliseum Complex;

WHEREAS, upgrades to the existing elevator, electrical work, provisions for fire protection in the elevator shaft and alarm, and relocation of an existing roof drain piping above the shaft are necessary, thereby necessitating a change order in the contract in the amount of \$20,413.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Bar Construction for the Greensboro Coliseum Complex – south elevator is hereby authorized at a total cost of \$20,413.00, payment of said additional amount to be made as follows: \$9,410.00 from Account No. 521-7535-06.6019 CBR 010 and \$11,003.00 from Account No. 410-7505-01.6019 CBR 001.

(Signed) Thomas M. Phillips

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45-03 RESOLUTION APPROVING AND AUTHORIZING ADJUSTMENT TO STORMWATER BILL TO HIGHWOODS PROPERTIES FOR SERVICE TO 490 GALLIMORE DAIRY ROAD

WHEREAS, under the Rules and Regulations for the Operation of the Water and Wastewater System of the City of Greensboro the Water Resources Customer Service Department is occasionally required to make adjustments to customer service bills;

WHEREAS, Highwoods Properties is the owner of property located at 490 Gallimore Dairy Road;

WHEREAS, Highwoods Properties has been erroneously billed for stormwater charges for a period of 15 months due to an error in updating the tax parcel ID number on the utility billing system;

WHEREAS, Highwoods Properties had made 15 excess payments and after discussions with the customer the city has calculated an adjustment of \$22,472.40 in accordance with the above mentioned Rules;

WHEREAS, it has been determined that \$22,472.40 represents the stormwater rebate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the reduction of this water bill is hereby approved and the Water Resources Customer Service Department is hereby authorized to reduce the bill to Highwoods Properties for service to 490 Gallimore Dairy Road by \$22,472.40.

(Signed) Thomas M. Phillips

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03-44 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE WATER QUALITY INVESTIGATION OF NORTH BUFFALO CREEK

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-7054-01.5413	Consultant Services	<u>\$87,896</u>
TOTAL:		\$87,896

and, that this increase be financed by increasing the following State, Federal, and Other Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-7054-01.7170	Local Government Grant	<u>\$87,896</u>
TOTAL:		\$87,896

(Signed) Thomas M. Phillips

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46-03 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT WITH THE LEIMENSTOLL FAMILY TO PERMIT EXPANSION OF A BALCONY AT 629 S. ELM STREET INTO A CITY SIDEWALK AND RIGHT OF WAY

WHEREAS, the Leimenstoll family, has requested that the City permit the proposed encroachment of a balcony over a City sidewalk and right of way located at 629 S. Elm Street;

WHEREAS, the owner has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the sidewalk and right of way being located under the proposed balcony;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said balcony in accordance with the terms and conditions of an Agreement presented herewith this day:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate encroachment Agreement with the Leimenstoll family, to permit expansion of the balcony located at 629 S. Elm Street to be built over an existing City sidewalk and right of way all in accordance with the terms and conditions set out therein.

(Signed) Thomas M. Phillips

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47-03 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT WITH PEPPERWOOD CIRCLE HOMEOWNER'S ASSOCIATION TO PERMIT INSTALLATION OF AN ORNAMENTAL FOUNTAIN IN CUL DE SAC CIRCLE ISLAND AND ENTRANCE SIGN AT THE ENTRANCE TO THE PEPPERWOOD CIRCLE SUBDIVISION

WHEREAS, the Pepperwood Circle Homeowner's Association has requested that the City permit the proposed installation of an ornamental fountain in cul de sac circle island and entrance sign at the entrance to the Pepperwood Circle Subdivision;

WHEREAS, the owner has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to ornamental fountain in cul de sac circle island and entrance sign at the entrance to the Pepperwood Circle Subdivision;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said building in accordance with the terms and conditions of an Agreement presented herewith this day:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate encroachment Agreement with the Pepperwood Circle Homeowner's Association, to permit the installation of an ornamental fountain in cul de sac circle island and entrance sign at the entrance to the Pepperwood Circle Subdivision, all in accordance with the terms and conditions set out therein.

(Signed) Thomas M. Phillips

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03-45 ORDINANCE AMENDING STATE, AND FEDERAL, AND OTHER GRANTS FUND BUDGET FOR URBAN FORESTRY PROJECTS FOR THE PLANNING DEPARTMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 02-03 Budget for the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal, and Other Grants Fund be increased as follows:

<u>Account:</u>	<u>Description:</u>	<u>Amount:</u>
220-2051-01.5431	Printing	\$3,000
220-2051-01.5520	Travel	\$ 950
220-2051-01.5928	In-Kind Services	<u>\$3,950</u>
TOTAL:		\$7,900

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund account:

<u>Account:</u>	<u>Description:</u>	<u>Amount:</u>
220-2051-01.7110	State Grant	\$3,950
220-2051-01.8695	In-Kind Services	<u>\$3,950</u>
TOTAL:		\$7,900

(Signed) Thomas M. Phillips

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48-03 RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE
AGREEMENT WITH THE NORTH CAROLINA DIVISION OF WATER QUALITY FOR THE 401
WATER QUALITY CERTIFICATION PROGRAM FOR PAINTER BOULEVARD

WHEREAS, there are cumulative water quality impacts associated with the proposed Greensboro Western Loop of future Painter Boulevard, said Painter Boulevard being a North Carolina Department of Transportation project;

WHEREAS, DWQ believes that water quality impairment in receiving streams and waters is often tied to urban stormwater runoff that increases with roadway development projects and new development associated with transportation projects;

WHEREAS, the North Carolina Division of Water Quality (DWQ) is requesting that the City enter into an Agreement to develop and implement additional stormwater management, stream buffer, and enhanced erosion and sediment control requirements with a corridor of the Loop Project;

WHEREAS, it is necessary for this Agreement to be executed prior to DWQ's issuance of the 401 Water Quality Certification for Painter Boulevard to NCDOT;

WHEREAS, similar Agreements have been requested with Guilford County and the City of Highpoint relative to Painter Boulevard as it passes through portions of these jurisdictions as well;

WHEREAS, it is anticipated that DWQ will require similar agreements in the future for additional portions of the Painter Boulevard Project which fall within the City's jurisdiction;

WHEREAS, it is in the best interest of the City of Greensboro to enter into an Agreement with DWQ to resolve environmental issues related to the Greensboro Western Loop Project, said draft Agreement presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager is hereby authorized to negotiate and execute an Agreement with the North Carolina Division of Water Quality for the 401 Water Quality Certification Program for Painter Boulevard to resolve environmental issues related to the Greensboro Western Loop Project.

(Signed) Thomas M. Phillips

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03-47 ORDINANCE AMENDING THE FISCAL YEAR 2002-03 WATER RESOURCES CAPITAL RESERVE FUND BUDGET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That the FY 2002-03 Water Resources Capital Reserve Fund Budget of the City of Greensboro is hereby amended as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
502-7001-01.6503	Transfer to Water Resources Capital Improvement Fund – Randleman Dam Project	\$5,940,000

And, that this increase is to be financed by the following revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
502-7001-01.8900	Appropriated Fund Balance	\$5,940,000

Section 2. That the Water Resources Capital Improvements Fund Budget of the City of Greensboro is hereby amended, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
503-7005-01.5932	Randleman Dam Project	\$5,940,000

And, that this increase is to be financed by the following revenue:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
503-7005-01.9502	Transfer from the Water Resources Capital Reserve Fund	\$5,940,000

(Signed) Thomas M. Phillips

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49-03 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2002-02 WITH MAPCO INC. FOR THE SOUTH BUFFALO OUTFALL IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the South Buffalo Outfall improvements project;

WHEREAS, Mapco, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,475,412.11 as general contractor for Contract No. 2002-02, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Mapco, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from the 510 Fund.

(Signed) Thomas M. Phillips

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50-03 RESOLUTION APPROVING UTILITY AGREEMENT WITH THE NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION FOR THE U-2913-A PROJECT

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements with the City of Greensboro under Project U-2913-A, Guilford County, said plans consisting of improvements to SR 1546 (Guilford College Road) from SR 4121 (High Point Road) to south of SR 1549 (Mackay Road) in Greensboro;

WHEREAS, said Department of Transportation and the City of Greensboro propose to enter into an Agreement for the above-captioned project whereby the City agrees (1) to allow the NCDOT's contractor to relocate and adjust the City owned water line and (2) to reimburse the NCDOT for the actual cost to relocate and adjust said line which is estimated to be \$41,970.50;

WHEREAS, the Department agrees to acquire the right of way and construct the project in accordance with the approved project plans;

WHEREAS, the Agreement will further provide for the establishment, maintenance and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Project I-2402 AC, Guilford County, is hereby formally approved by the City Council of the City of Greensboro and that the Mayor and Clerk of the City are hereby empowered to sign and execute the Agreement with the Department of Transportation.

(Signed) Thomas M. Phillips

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03-48 ORDINANCE AMENDING GENERAL FUND BUDGET FOR FY 2002-2003 FOR PARKS &
RECREATION SPORTSPLEX FACILITY OPERATIONS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the General Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-5004-01.4110	Salaries & Wages	\$63,100
101-5004-01.4120	Part-Time Wages	6,300
101-5004-01.4140	Roster Wages	27,400
101-5004-01.4510	FICA	4,361
101-5004-01.4520	Retirement Contribution	3,142
101-5004-01.4610	Health Insurance	4,464
101-5004-01.4650	Dental Insurance	398

101-5004-01.4710	Life Insurance	360
101-5004-01.5111	Telephone – Local	5,950
101-5004-01.5113	Telephone – Leased	450
101-5004-01.5114	Cellular Phones	300
101-5004-01.5121	Heat & Electricity	16,800
101-5004-01.5131	Water & Sewer	4,000
101-5004-01.5211	Postage	700
101-5004-01.5212	Software	45,000
101-5004-01.5213	Office Supplies	2,000
101-5004-01.5214	Office Equipment`	9,000
101-5004-01.5221	Advertising	6,000
101-5004-01.5222	Professional Organization Dues	600
101-5004-01.5231	Janitorial Supplies	2,700
101-5004-01.5235	Small Tools & Equipment	6,000
101-5004-01.5237	Program Supplies	13,000
101-5004.01.5254	Rental of Equipment	3,500
101-5004-01.5239	Miscellaneous Supplies	1,250
101-5004-01.5413	Consultant Services	10,000
101-5004-01.5422	Contracted Maint.- Bldgs.	23,000
101-5004-01.5431	In-House Printing	600
101-5004-01.5432	Desktop Services	5,140
101-5004-01.5435	Radio Services	500
101-5004-01.5520	Seminar/Training	1,000
101-5004-01.5540	Mileage	300
101-5004-01.5613	Maint. & Repair – Bldgs.	5,000
101-5004-01.5621	Maint. & Repair – Equip.	3,000
101-5004-01.5710	Workers' Comp. Insurance Premiums	<u>1,500</u>

Total \$276,815

and, that this increase be financed by increasing the following General Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-5004-01.7700	Concessions	\$1,250
101-5004-01.7730	Admissions & Charges	115,000
101-5004-01.7734	Non-Resident Fees	20,000
101-5004-01.7735	Group Sales	25,000
101-5004-01.7742	Vending Machines	3,500
101-5004-01.7770	Special Events	7,500
101-5004-01.7771	Sponsorships	25,000
101-5004-01.7803	Rent – Other	7,600
101-0000-00.8900	Appropriated Fund Balance	<u>71,965</u>

Total \$276,815

(Signed) Thomas M. Phillips

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Motion to approve minutes of regular meetings of February 4 and February 18, 2003 was unanimously adopted.

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Mayor Holliday introduced a resolution approving bid in the amount of \$733,710.64 and authorizing Contract No. 2002-28 with Triangle Grading and Paving for East Market Street Streetscape Project. He noted this matter was continued from the February 18, 2003 meeting of Council.

The Mayor briefly noted the resolution had been continued to allow further discussion with North Carolina A&T State University (NC A&T) with regard to their pledge of \$750,000 to the project. Stating he had been unable to talk with the University Chancellor, the Mayor reviewed a letter from the University that stated they would not be able to honor their financial commitment. He stated Council could continue this matter to seek more resolution, could go forward without \$750,000 from NC A&T or could talk about the ramifications and go forward with another plan for the project. Mayor Holliday noted the bid process had been significantly less than the original estimate for the project.

Councilmember Phillips stated he believed any savings from the bid should go back to taxpayers. He spoke to the original project and noted that after NC A&T offered to commit funds, the project was extended beyond Dudley Street to include NC A&T. He suggested that the University could spread their payments over a period of years; stating that he couldn't support the project without NC A&T's contribution he noted that without the University's commitment he believed the Council should consider changing the design back to the original proposal which ended at Dudley Street.

Councilmember Carmany compared NC A&T's participation in this project to UNCG's participation on the Spring Garden Street Project. She stated she believed the City couldn't afford to forgive \$750,000 and that NC A&T should uphold its commitment; she suggested the commitment could be honored through installment payments or in-kind services. Brief Council discussion was held with regard to the similarities and differences between the two projects.

Councilmember Perkins recalled that NC A&T's commitment was critical in Council's decision to expand the streetscape project. He expressed concern with their failure to honor their \$750,000 commitment, stated he didn't support moving forward with this shortfall, and suggested Council might wish to postpone a decision on this project. He stated he believed Council should work to save \$750,000 for Greensboro citizens.

Councilmember Burroughs-White stated that the current project to extend to English Street was a community planning concept and was determined by the community's businesses and citizens; she noted that NC A&T was only one participant in the process. She stated the community was interested in moving forward with the project.

Councilmember Johnson spoke to NC A&T's budget cuts which would impact the University and noted their desire to be a part of the project by providing fencing, physical access, etc.

Councilmember Burroughs-White moved adoption of the resolution; the motion was seconded by Councilmember Johnson. No vote was taken on the motion.

The City Manager stated that after staff discussions with NC A&T representatives after the last Council meeting, they had stated the University couldn't commit to a long-time commitment to maintain the median landscaping. He noted that if Council didn't wish to take action at this meeting, the current bid price could be held for 30-45 days.

After lengthy discussion, Councilmember Carmany moved to table the Resolution approving bid in the amount of \$4,733,710.64 and authorizing Contract No. 2002-28 with Triangle Grading and Paving for East Market Street Streetscape Project for 30 days (April 1 City Council meeting) to continue discussion and exploration of alternate funding. The motion was seconded by Councilmember Perkins and adopted on the following roll call vote: Ayes: Perkins, Carmany, Holliday, Gatten and Phillips. Noes: Burroughs-White, Jessup, Johnson and Vaughan.

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Mayor Holliday introduced an ordinance amending in the amount of \$893,454 the Solid Waste Landfill Expansion Capital Project Bond Fund. He thereupon introduced so these matters could be discussed together, a resolution approving bid in the amount of \$2,146,412 and authorizing Contract with R. M. Soderquist, Inc. for the White Street Landfill, Construction Phase III, Cell 3.

After the Manager briefly explained that this was the construction of Phase 3, Cell 3, which had been planned all along and represented no changes with regard to extension of the landfill, Councilmember Gatten moved adoption of the ordinance amending in the amount of \$893,454 the Solid Waste Landfill Expansion Capital Project Bond Fund. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Jessup, Perkins, Phillips and Vaughan. Noes: Burroughs-White and Johnson.

03-49 ORDINANCE AMENDING SOLID WASTE LANDFILL EXPANSION CAPITAL PROJECT BOND FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Solid Waste Landfill Capital Project Bond Fund Budget of the City of Greensboro be amended, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
553-6509-02.6019	Solid Waste Landfill Expansion	\$893,454

And, that the following revenue finances these appropriations:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
553-6509-02.8510	Interest Earnings	\$893,454

(Signed) Florence F. Gatten

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Councilmember Gatten moved adoption of the resolution approving bid and authorizing execution of contract 'S' with R. M. Soderquist, Inc. for the White Street Landfill Construction of Phase III, Cell 3 improvements project. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Carmany, Gatten, Holliday, Jessup, Perkins, Phillips and Vaughan. Noes: Burroughs-White and Johnson.

51-03 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 'S' WITH R. M. SODERQUIST, INC. FOR THE WHITE STREET LANDFILL, CONSTRUCTION OF PHASE III, CELL 3 IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the White Street Landfill Construction of Phase III, Cell 3 improvements project;

WHEREAS, R. M. Soderquist, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$2,146,412.00 as general contractor for Contract 'S', which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by R.M. Soderquist, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$1,765,195.00 from Account No. 553-6509-02.6019 and in the amount of \$381,217.00 from Account No. 554-6509-02.6019.

(Signed) Florence F. Gatten

(A tabulation of bids for the White Street Landfill, construction of Phase III, Cell 3 Improvements Project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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Mayor Holliday introduced a resolution approving bid in the amount of \$2,077,450 and authorizing Contract No. 2003-06 with Morlando-Holden Construction for the George C. Simkins, Jr. Indoor Sports Pavilion at the Jimmie I. Barber Park.

The Manager explained the City had received good bids for this project and responded to earlier Council inquiries that if changes were made to the plans for the project at this point, the City would have to reopen bids and start over.

Bobbie Kuester, Parks and Recreation Department Director, stated that her department was aware of the interest in tennis in Greensboro. She stated that over the years and during the Master Plan process, the Department had received ideas and input from Southeast Greensboro residents as to the recreational enhancements they wanted at Barber Park. She stated that her concerns at this time were that the Parks and Recreation Department's Master Plan did not recommend indoor tennis courts and that the cost to extend the proposed facility an additional 30' could cost approximately \$750,000. Ms. Kuester advised that if money were available, her staff could go back to Southeast Greensboro residents for input as to what enhancements they would recommend for the area.

In response to Council inquiries, Butch Simmons, Interim Director of the Engineering and Inspections Department, stated that the facility should be ready for play by the end of the summer.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

52-03 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2003-06 WITH MORLANDO-HOLDEN CONSTRUCTION OF GREENSBORO, NC FOR THE GEORGE C. SIMKINS, JR. INDOOR SPORTS PAVILION AT THE JIMMIE I. BARBER PARK

WHEREAS, after due notice, bids have been received for the George C. Simkins, Jr. indoor sports pavilion at the Jimmie I. Barber Park;

WHEREAS, Morlando-Holden Construction of Greensboro, NC a responsible bidder, has submitted the low base and alternate bid in the total amount of \$2,077,450.00 as general contractor for Contract No. 2003-06, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Morlando-Holden Construction of Greensboro, NC is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 443-5003-01.6013 CBR 001.

(Signed) Yvonne J. Johnson

(A tabulation of bids for the indoor sports pavilion at the Jimmie I. Barber Park is filed with the above resolution and are hereby referred to and made a part of these minutes.

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Mayor Holliday recognized Boy Scout Troop 103 sponsored by First Presbyterian Church who were present in the Chamber for the meeting.

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Councilmember Vaughan left the meeting at 7:39 p.m.

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The Mayor declared a recess at 7:40 p.m.

The meeting reconvened at 7:55 p.m. with all members present.

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The Mayor introduced an addendum item, a resolution adopting recommendations of the Cultural Center Task Force. The Mayor spoke to the charge Council had given the Task Force to develop recommendations for the operation of the Cultural Center for Council's consideration; he noted Councilmembers Gatten, Johnson and Phillips had served on the Task Force. Councilmember Johnson spoke briefly to the hard work of the Task Force and recognized the members who were present at the meeting.

Jeanie Duncan, Co-Chair of the Cultural Center Task Force, provided a detailed review of the following documents recommended for Council's approval: a lease agreement to be used between the City of Greensboro and every current and future tenant of the Greensboro Cultural Center, General Maintenance of Greensboro Cultural Center Statement of Expectations, Space Allocation Policy, and the Cultural Center Council (CCC).

Noting that the CCC would report to the Greensboro City Council, Ms. Duncan stated the Task Force believed the CCC would be an important body in fulfilling the objective to ensure a variety of programs are located at the Center to reflect the diversity in the community; she spoke to the recommended timeframe proposed for the appointment and startup of the CCC. She noted the recommended makeup of the CCC with appointments as follows: United Arts Council Board of Directors—2 representatives; United Arts Council Arts Commission—3 representatives, and 3) Greensboro City Council—5 representatives.

Ms. Duncan responded to a number of Council inquiries as follows: 1) that the United Arts Council President would vote only for the purpose of breaking a tie vote, 2) that members of the CCC would be reflective of Greensboro's diverse community and committed to upholding the purpose and mission of the Greensboro Cultural Center, and 3) explained that the United Arts Council's reorganization had resulted in the creation of the Arts Commission. Stating that the Task Force also recommended the creation of a Tenants Council that would meet to address concerns and issues of the Greensboro Cultural Center; she spoke briefly to the recommended composition of the Tenants Council. Ms. Duncan outlined the process to be followed to move forward with the proposals.

Discussion was held with regard to the proposals offered by the Task Force, the responsibility for programming at the Center, etc. Council discussed the desire to move forward at the next Council meeting with recommendations of names of individuals to be considered as Council's appointments to the CCC. It appeared to be the consensus of Council that one representative should be appointed from each of the five Council districts. Councilmember Phillips stated that he believed with the appointment of the CCC, the public would see more coordinated efforts at the Cultural Arts Center, uniform operating hours and a more vibrant building.

Responding to Council's inquiry about the Cultural Center space currently occupied by a restaurant, Assistant City Manager Johnson advised the current lease at market rate of space to the restaurant involved a

separate lease and maintenance agreement; he reiterated that agreement was not related to the proposal for non-profit agencies.

After the City Manager requested that Council include in the five appointments or as an additional liaison position, a senior City staff person to work with the 10-member Council, the Mayor suggested that the Manager appoint a City staff member to serve as liaison to work with the CCC.

After additional discussion, Councilmember Gatten moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

53-02 RESOLUTION ADOPTING RECOMMENDATION OF THE CULTURAL CENTER TASK FORCE

WHEREAS, the Cultural Center Task Force has met and developed items for City Council's review and approval in order for Greensboro to continue to be an open, culturally diverse community;

WHEREAS, a Lease Agreement incorporating a General Maintenance Policy and Space Allocation Policy has been drafted for use of the Cultural Center by the citizens and visitors of Greensboro, said Lease Agreement, General Maintenance Policy and Space Allocation Policy are presented herewith this day;

WHEREAS, it is the Task Force's recommendation that a Cultural Center Council be formed to be responsible for ensuring that the current space is allocated and utilized in accordance with the Center's vision and mission, a copy of said recommendation is presented herewith this day;

WHEREAS, it is in the best interest of the City of Greensboro and its citizens and visitors to adopt the Cultural Center Task Force recommendations so that it remains an open, culturally diverse community.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Lease Agreement incorporating a General Maintenance Policy and Space Allocation Policy and the formation of a Cultural Center Council is hereby approved.

(Signed) Florence F. Gatten

(A copy of the documents reviewed by Ms. Duncan is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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Council discussed various past and future events, meetings and items of interest to the Community.

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After Councilmember Gatten mentioned that she would like to add the name of Mike Bumpass to the boards and commissions data bank, Councilmember Vaughan advised he was already serving on the Parks and Recreation Commission. After brief discussion, it was determined that his name could be added to the data bank.

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Councilmember Burroughs-White stated that she intended to appoint Nancy Stewart to the Community Resource Board (CRB) at the next Council meeting.

It was noted that Matthew Johnson had resigned from the CRB earlier in the week and that Ron Smith had resigned from the Board.

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After Councilmember Perkins spoke to patrons' concerns with respect to the closing of the Davie Street Parking Garage for repairs, the Manager and Jim Westmoreland, Transportation Department Director, spoke to the City's efforts to assist in relocating the parkers to other decks. Mr. Westmoreland spoke briefly to the proposed repairs to the facility, stated that bids for the project had been delayed, noted that the redevelopment of the former Thalhimer's parking facility had displaced parkers at that location and spoke to efforts to assist these individuals in parking at other facilities. The Manager noted that the garage repairs involved structural issues that the City must address and would require that the facility be closed.

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Councilmember Carmany stated that Susan Mills currently served on the Minimum Housing Standards Commission but wanted to be appointed to fill the District 5 vacancy on the Community Resource Board. After Councilmember Carmany briefly commented that earlier precedent had been set by Council to permit this type of action, Council expressed no objections. Councilmember Carmany thereupon moved that Susan Mills be appointed to serve the unexpired portion of term of Ron Smith on the Community Resource Board contingent upon her immediate resignation from the Minimum Housing Standards Commission; this term will expire 15 August 2003. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

Noting that she was a member of the Early Action Compact representing Piedmont Authority for Regional Transportation (PART) and the Metropolitan Planning Organization (MPO), Councilmember Carmany detailed the intense process to be undertaken by the group in dealing with air quality issues and trying to meet federal ozone standards and delay implementation. She advised the group would be required to develop a menu of options by June 15 that could be adopted by the 11 counties and would also have to determine which of those things would be feasible in trying to improve air quality. Advising Council would receive updates from the Council of Governments which was facilitating the effort, Councilmember Carmany emphasized that Council would be required to adopt the recommendations from the group. She noted that City staff members, Jeri Covington and Jeff Slovick, were also participants in this effort.

Councilmember Carmany commended Julie Glandt of Carolina Adoption Services for receiving Moldova's highest civilian award in recognition of her work to expedite the adoption process for Moldovian children.

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Mayor Holliday commended Councilmember Carmany for her service and commitment with regard to the many transportation agencies and issues of interest to Greensboro.

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Councilmember Jessup moved that Paul G. Gilmer, Sr. be appointed to serve a term on the Zoning Commission in the position formerly held by Terry Haith; this term will expire 15 August 2005. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of Council.

After Councilmember Jessup stated that he wished to appoint Pauline Lowe to a position on the Human Relations Commission, the Mayor advised there were no vacant positions on this Commission at the current time.

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Councilmember Vaughan advised that Project Homestead had requested that the City to agree to hold the third mortgage for five homes in the Holts Chapel subdivision.

Andy Scott, Housing and Community Development Department Director, provided a brief explanation about the City's position with regard to third mortgages in general and to this request. Mr. Scott stated he had been notified of the request on this date, had shared the information with the City Attorney and had not received additional information about the request. After brief discussion with regard to the request, Mr. Scott advised if it were the desire of Council, his staff would need a motion by Council to direct the staff to pursue; Councilmember Vaughan offered that motion. After it was determined that the request had not been reviewed by the Manager's

Office, it appeared to be the consensus of Council that they did not wish to consider the request without appropriate notice and information.

After brief discussion, the Mayor advised that this item would be placed on a future agenda for Council's consideration.

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Councilmember Vaughan noted the Mayor had received a letter from the ABC Board requesting Council to support the expansion of the local Board membership from three to five.

Council expressed no concerns with regard to expanding the size of the Board; however, it was mentioned that the increased membership would not be for the purpose of allowing former members to serve but would be for the purpose of appointing new members to the Board in Council districts that were not currently represented. Council agreed that the proposed change would not impact the three current board members. Some members of Council discussed their concern that members of the ABC Board received compensation for their service, while no other members of Council-appointed boards were compensated.

The Chief Deputy City Attorney advised Council would ask the General Assembly to increase the membership; however, Council could address the issue of ABC Board salaries.

Councilmember Vaughan moved that Greensboro's legislative packet include a request to increase the ABC Board membership from three to five members. The motion was seconded by Councilmember Johnson and adopted unanimously by voice vote of Council.

Councilmember Johnson moved to delete the compensation for members of the ABC Board effective April 1, 2003. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of Council.

At the Mayor's request and in response to the ABC Board's recommendation, Councilmember Gatten moved that Barney Brown be appointed to serve as Chair of the ABC Board. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of Council.

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Mayor Holliday spoke to the Leadership Greensboro program and noted that a number of the program's graduates had indicated a desire to serve on a Greensboro board or commission. Noting that the Clerk would notify those individuals who wanted to serve but lived outside the City limits of Greensboro, he thereupon added the following names to the boards and commissions data bank for consideration for future service: Laurence K. Aikens, Patricia D. Clark, Joanna I. Cockburn, Roderick D. Jessup, David A. Josephsohn, Spoma Jovanovic, Benny D. Judd, Jr., Stephen E. Klee, Juanita Kornegay, James E. Kubic, Ryan Z. Maltese, Gina L. M. McCarn, Marci Peace, Gregory T. Sardzinski, Lawrence J. Schell and Timothy P. Vivian.

The Mayor noted that the Guilford Delegation's public meeting had been rescheduled to Thursday, March 13, from 6 – 8 pm in the Council Chamber.

Mayor Holliday spoke to the ACC Men and Women's Tournaments being held in Greensboro. He noted to the significant economic impact this Tournament would create for Greensboro businesses and expressed appreciation to the ACC for the International attention it brought to Greensboro and the War Memorial Coliseum Complex.

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Councilmember Burroughs-White congratulated Mayor Holliday for being selected as Chair of the Mayors of Big Cities (The North Carolina Metropolitan Coalition).

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The Mayor, members of City Council and the City Manager commended staff for their excellent work during the recent storm and power outages. The Manager provided details with regard to the major cleanup efforts and volumes of debris from the storm and advised that the City's bundling requirements would be relaxed until March 17. Speaking to the reimbursements Greensboro would receive for costs associated with earlier storm damage, the Manager spoke to Greensboro's efforts to seek reimbursement for costs involved with the latest storm. In response to Council inquiry with regard to the provision of assistance to senior citizens, persons with disabilities, etc. if possible, the Manager advised the City would attempt to publicize any available assistance.

Some members of Council commended the Engineering and Inspections and Police for their efforts in their work to resolve problems in the Randleman Road area and the Citizen Service staff for their work to assist in resolving community issues.

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The Manager noted that a number of years ago after a major storm had caused an extended sewer spill at the Osborne Plant, Council approved the purchase of a generator system for the facility. Stating that the generator had been a wonderful investment for Greensboro, the Manager stated that if it had not been in place during the last storm, a considerable amount of sewage would have been dumped in the nearby creek. The Manager also advised that during power outages, generators ran the traffic signals at major intersections.

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Councilmember Carmany moved that the City Council adjourn. The motion was seconded by Councilmember Vaughan and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 9:08 P.M.

KEITH A. HOLLIDAY
MAYOR

JUANITA F. COOPER
CITY CLERK
